

MONTANA BOARD OF PRIVATE ALTERNATIVE ADOLESCENT RESIDENTIAL
OR OUTDOOR PROGRAMS
Full Board Meeting
Department of Labor & Industry
301 S. Park Avenue, Helena, MT
Basement Conference Room & by Conference Call
October 8, 2010
2:00pm-5:00pm
MINUTES

CALL TO ORDER

Members Present.

Present in Helena: Darcie Kelly.

Present by Phone: John Santa, Penny James, Mary Alexine.

Absent: Tim Callahan.

Staff Present.

Cyndi Breen, Colleen White, Jean Branscum, Mary Tapper.

New Board Council, Mary Tapper was introduced during today's meeting.

Others Present: Mickey Manning, Barbi Flanders, Gordon Newell, Mike Chisholm,
Tom & Rose Harrold, Carl Baisden, Carolyn Milller, Sean Thorne.

AGENDA ITEM #1

Review of Agenda & approval.

Motion: Ms. Alexine moved to approve the agenda as written.

Second: Ms. Kelly.

Discussion: None.

Vote: Unanimous.

Motion carried.

AGENDA ITEM #2

Review and approval of minutes, June 1, 2010.

Motion: Ms. Alexine moved to approve the minutes as written.

Second: Ms. Kelly.

Discussion: None.

Vote: Unanimous.

Motion carried.

AGENDA ITEM #3

Department Report.

-Budget

-FYE 2010

-FY 2011 to date

Beginning Cash FY 10	\$ 18,289.40
Revenue Received to date	\$ 31,285.00
Expenses to date	\$ (9,715.35)

Ending Cash Balance	\$ 39,859.05		
APPROPRIATION	BUDGET	ACTUALS	APPROP BALANCE
	\$ 48,194.00	\$ 9,715.35	\$ 38,478.65

Motion: Mr. Santa moved to approve the 2011 budget as presented.
Second: Ms. Kelly.
Discussion: None.
Vote: Unanimous.
Motion carried.

AGENDA ITEM #4
-Rule Proposals: No action taken.
-Fee structure proposals.

Motion: Ms. Alexine moved to instruct board staff to calculate a fee structure to maintain a \$90,000 budget. Staff will construct proposals using a \$500 and \$1000 base fee with the remaining costs divided among the four licensing categories, and another proposal which is a flat rate charged evenly among current licensees. All proposals will add a projection of licensing two new small schools each year.
Second: Ms. Kelly.
Discussion: The Board discussed the need to build a small financial cushion for unforeseen costs such as law suits, re-inspections of schools, etc.
Vote: Unanimous.
Motion carried.

AGENDA ITEM # 5
Review and action on the current process for fingerprint and background checks.
Discussion:
-The current process is not workable.
-The Board cannot make a ruling based solely on a felony record.
-Programs need to be dealing directly with the Department of Justice in receiving the information on their employees.
-The Department of Labor and Industry needs to be out of the middle of the fingerprint and background check process.
-A resolution to the issue could be to ask the Governor’s office to implement a section of federal law which would allow facilities to receive the fingerprint and background information. The Board, the Department of Labor, and the Department of Justice would need to work together to craft the request.
-According to Ms White, it would be helpful if both the employer and the Department of Labor could be recipients of the information.
-With a change in the process, the Board and Department obligation would be to simply audit program compliance with the statutes and rules on fingerprint and background checks.

-In preparation of drafting a letter to the Governor's office it was suggested that a list of challenges of the current process be drafted. New Board Counsel Mary Tapper will be involved in drafting the letter.

-The Board reaffirmed the motion of the June 2010:
Motion: Dr. Santa moved that he and Ms. White shall work together in drafting a letter to whomever to do whatever it will take to change the process to accommodate the programs.
Second: Ms. Alexine.
Discussion: Ms. White asked that all programs send their issues with the fingerprint and background check process to her by e-mail to be included in the correspondence.
Vote: Unanimous.
Motion carried.

No additional motion was made on agenda item # 5.

AGENDA ITEM # 6
Application Reviews - Licensure of Facilities.
Ms. White clarified that at the June 1, 2010, the Board issued probationary licenses to schools that were missing only successful completion of fingerprint and background checks. In spite of this action and for the purposes of tracking program compliance, complaints through the Compliance Unit had been opened on all schools upon issuance of probationary licenses.

1. BUILDING BRIDGES INC
Motion: Having reviewed the program's passive restraint training and hearing from Department staff that all other documentation required for licensure had been received, Mr. Santa moved to approve Building Bridges for a non-probationary licensure.
Second: Ms. Alexine.
Discussion: None.
Vote: Unanimous.
Motion carried.

2. CHRYSALIS
Motion: Having reviewed the program's passive restraint training and hearing from Department staff that all documentation required for licensure except fingerprint & background checks on multiple employees had been received, Mr. Santa moved to approve Chrysalis for a non-probationary licensure. Action may be taken if indicators present on any fingerprint and background reports.
Second: Ms. Kelley.
Discussion: None.
Vote: Unanimous.
Motion carried.

3. CRAMER CREEK
Motion: Mr. Santa moved to dismiss the complaint with prejudice that was opened on Cramer Creek. The Department has been notified that the program

is closed.
Second: Ms. Alexine.
Discussion: None.
Vote: Unanimous.
Motion carried.

4. EXPLORATIONS, PHOENIX MOUNTAIN COLLABORATIVE
Penny James, program owner, recused herself from voting on action with her school.
Motion: Mr. Santa moved to extend the probationary licensure through December 31, 2010 with authority to issue full licensure upon receipt by staff that employees have completed passive restraint training. Ms. James stated that the course was being offered before October 31, 2010 at the program.
Second: Ms. Alexine.
Discussion: None.
Vote: Unanimous.
Motion carried.

5. MONARCH SCHOOL
Passive restraint training is approved.
Motion: Mr. Santa moved to extend the probationary licensure through December 31, 2010 contingent on compliance with building codes and the resolution of a building inspection.
Second: Ms. Alexine.
Discussion: None.
Vote: Unanimous.
Motion carried.

6. MONTANA ACADEMY, INC
Mr. Santa recued himself from voting on this issue and appointed Mary Alexine as Board Chair.
Ms. Kelly moved to dismiss the complaint with prejudice that was opened as the Board office awaited fingerprint and background check materials.
Montana Academy has been issued full licensure.
Second: Ms. Alexine.
Discussion: None.
Vote: Unanimous.
Motion carried.

7. MOUNTAIN MEADOW YOUTH RANCH
Motion: Following a review of the passive restraint training, Mr. Santa moved to approve Mountain Meadow Youth Ranch for full licensure.
Second: Ms. Alexine.
Discussion: None.
Vote: Unanimous.
Motion carried.

8. NEW HORIZONS

Motion: Mr. Santa moved to extend the probationary licensure through December 31, 2010 with authority to issue full licensure upon successful resolve of the issue of a licensed therapist on staff and successful completion of passive restraint training.
Second: Ms. Kelly.
Discussion: Currently the counselor on staff is not licensed but is a counselor in training currently working on accumulating clinical supervision hours. The Board requests that the program provide documentation that verifies what therapeutic services are offered.
Vote: Unanimous.
Motion carried.

9. RANCH FOR KIDS PROJECT

No action taken. Ms. White reported that Ranch for Kids has not signed a stipulated agreement. Current outstanding issues include building permits, no proof of fire and safety inspection reports, missing finger print and background checks, lack of employees with commercial driver's license. The next step in the process will be to move forward with scheduling a hearing for the program.

10. RIVERVIEW ACADEMY

Motion: Dr. Santa moved to approve Riverview Academy for a non-probationary license.
Second: Ms. Kelly.
Discussion: None.
Vote: Unanimous.
Motion carried.

11. STAR PEAK CROSSING, INC

Motion: Dr. Santa moved to approve Star Peak Crossing Inc. for a non-probationary license.
Second: Ms. Kelly.
Discussion: None.
Vote: Unanimous.
Motion carried.

12. SUMMIT PREPARATORY SCHOOL

Motion: Dr. Santa moved to dismiss the complaint with prejudice that was opened as the Board office awaited fingerprint and background check materials. Summit Preparatory School has been issued full licensure.
Second: Ms. Alexine.
Discussion: None.
Vote: Unanimous.
Motion carried.

13. TURNING D RANCH, LLC

Motion: Dr. Santa moved to approve Turning D Ranch for a non-probationary

license.

Second: Ms. Kelly.

Discussion: Dr. Santa asked for verbal confirmation from Program representative Sean Thorne regarding the use of inappropriate language by staff among students. Mr. Thorne reported on the program policy and confirmed its implementation.

Vote: Unanimous.

Motion carried.

14. TURNING WINDS ACADEMIC INSTITUTE

Motion: Dr. Santa moved to approve Turning Winds Academic Institute for a non-probationary license.

Second: Ms. Kelly.

Discussion: None.

Vote: Unanimous.

Motion carried.

AGENDA ITEM # 7

Next meeting.

Motion: Dr. Santa moved to schedule the next meeting for November ?, 2010

Second: Ms. Kelly.

Discussion: None.

Vote: Unanimous.

Motion carried.

ADJOURNMENT

Motion: Dr. Santa moved to adjourn the meeting at 4:15pm

Second: Ms. Kelly.

Discussion: None.

Vote: Unanimous.

Motion carried.